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LATIN AMERICA BRIEF OCPAS LAB 83-242 FOR 15 DECEMBER 1983.

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2. ARGENTINA: HUMAN RIGHTS INITIATIVES

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2. ARGENTINA: HUMAN RIGHTS INITIATIVES

PRESIDENT ALFONSIN'S QUICK ACTION IN MOVING TO TRY MILITARY LEADERS FOR HUMAN RIGHTS ABUSES IS UNLIKELY TO PROVOKE A SERIOUS REACTION IN THE ARMED FORCES, UNLESS THE EFFORT BECOMES FAR MORE EXTENSIVE. 3.5(c)

ALFONSIN HAS ORDERED TRIALS FOR NINE MEMBERS OF THE JUNTA WHO SERVED BETWEEN THE MILITARY TAKEOVER IN 1976 AND MID-1982. THEY WILL BE TRIED BEFORE MILITARY COURTS, BUT ANY APPEALS WILL GO TO CIVILIAN TRIBUNALS. LOWER RANKING SECURITY OFFICIALS ALSO WILL BE SUBJECT TO PROSECUTION IF THEY WERE NOT ACTING UNDER SPECIFIC ORDERS. 3.5(c)

THE PRESIDENT ALSO HAS ANNOUNCED PLANS TO INTRODUCE LEGISLATION REPEALING AMNESTY AND ANTISUBVERSION LAWS PASSED IN THE LAST MONTHS OF THE MILITARY GOVERNMENT. ACCORDING TO ALFONSIN, HOWEVER, HE WILL ASK FOR NEW LAWS TO COUNTER SUBVERSION. MOREOVER, HE SAYS SEVEN TERRORIST LEADERS NOW IN EXILE WILL STAND TRIAL IF THEY RETURN TO ARGENTINA. 3.5(c)

COMMENT: ALFONSIN HAS ENOUGH LATITUDE TO TAKE THESE INITIAL STEPS, BECAUSE THEY WERE EXPECTED AND BECAUSE THE MILITARY IS TOO DISORGANIZED TO OPPOSE THEM. THE PRESIDENT'S FAST ACTION IN CARRYING OUT HIS CAMPAIGN PLEDGES MAY PREEMPT--IF ONLY TEMPORARILY--HUMAN RIGHTS ACTIVISTS WHO HAVE CALLED FOR MORE EXTENSIVE INVESTIGATIONS. MOREOVER, AS COMMANDER IN CHIEF, HE CAN LIMIT THE NUMBER OF PROSECUTIONS. 3.5(c)

MILITARY OFFICERS ARE LIKELY TO BE PLEASED WITH HIS PLANS TO TRY TERRORISTS AND TO ADOPT TOUGH ANTISUBVERSIVE MEASURES. ON THE OTHER HAND, THEY WILL BE APPREHENSIVE THAT THE CIVILIAN APPELLATE PROCESS COULD CAUSE A VARIETY OF PROBLEMS THAT WOULD BE DIFFICULT TO ANTICIPATE AND DEAL WITH. MILITARY OPPOSITION TO ALFONSIN WILL INTENSIFY TO THE EXTENT HE GOES BEYOND CURRENT PLANS TO PROSECUTE ONLY SOME FORMER MEMBERS OF THE JUNTA.

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